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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/635,893	08/06/2003	Lawrence Gerard Stopczynski	202-0734	1597

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EXAMINER

NGUYEN, THU V

ART UNIT PAPER NUMBER

3661

DATE MAILED: 07/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/635,893

Applicant(s)

STOPCZYNSKI, LAWRENCE
GERARD

Examiner

Thu Nguyen

Art Unit

3661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 8/6/03.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. Claim 19 is objected to because of the following informalities:

In claim 19, lines 1-2, the claimed "the operational status" should be corrected to "an operational status" to avoid lacks of antecedent basis.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weilkes et al (US 2003/0167113) in view of Regensburger et al (US 2002/0169537).

As per claim 1, 8, Weilkes teaches a method of controlling sensors, the method comprises: establishing a vehicle operational criteria (speed) associated with a vehicle operational safety feature (ACC, parking, etc.) (para 0009, 0034); determining a sensor beam coverage area for the vehicle operational criteria (para 0007); receiving a status parameter representing the operational status of the vehicle (para 0031); activating the sensor for scanning a sensor beam coverage area according to the vehicle operational criteria (para 0025). Weilkes does not explicitly teach using a sensor in the controlling method. However, Wailkes teaches the

system of Weilkes can use one sensor (para 0001), further, Regensburger teaches a sensor capable of scanning different coverage areas (fig.4; para 0027-0028). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to replace the sensors of Weilkes with a sensor of Regensburger et al in order to facilitate implementation of the sensing system.

As per claim 2-5, Weilkes teaches covering the front regions of the vehicle (para 0025), and Rengensburger teaches a sensor capable of sensing both the front and side area (fig.4). Further using sensor capable of covering view area of 180 degrees would have been well known.

As per claim 6-7, Weilkes teaches using speed as status parameter representing the operation status (para 0009). Further, it would have been well known that selected gear affect the speed of the vehicle. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to use the selection gear as a status parameter instead of the vehicle speed used in Weilkes, since selecting a specific and closely equivalent criteria to determine operation status of the vehicle as preferred by the designer requires only routine skill in the art.

As per claim 9, Weilkes teaches several operational safety features available for selection (para 0024), further, allowing the operator to select the operational safety feature such as cruise control, etc. would have been well known.

As per claim 10, refer to claim 1 and 2 above. Weilkes does not explicitly disclose scanning the sensor beam coverage on a time-interleave basis. However, Weilkes teaches cyclically repeating measurement of the distance between object and the host vehicle (para 0037). Further, since cyclically performing an operation normally perform in time-interleave basis, Weilkes obviously include teaching the time-interleave basis as claimed.

As per claim 11-16, refer to claims 4-9 above.

As per claim 17, refer to claim 10 above. Weilkes does not explicitly teach providing a set of vehicle operational safety features corresponding to the presence of side remote objects. However, providing side operational safety measure for preventing side crash would have been well known. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to includes side safety feature to the system of Weilkes in order to prevent side crash to the vehicle.

4. Claims 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Regensburger et al (US 2002.0169537) in view of Weilkes et al (US 2003/0167113).

As per claim 18-19, Regensburger teaches a sensor for sensing a front and side of a vehicle including a plurality of beams associated with a frontal and side coverage area (fig.4; para 0025-0027); and a controller for activating the beams depending on the activation mode of the vehicle (para 0028-0030). Regensburger does not explicitly disclose activation of the signal

Art Unit: 3661

and including far, near, wide, and narrow coverage for the sensor. However, Weilkes teaches activating the sensor depending on the activation of the vehicle (para 0007; 0031). With respect to the far, near, etc. coverage areas, since Regensburger teaches that the coverages of the sensor is limited depending on the specific range and distance (para 0027), and since it would have been well known that the range and distance coverage of a sensor implies the far or near distance, and wide/narrow range, Regensburger's teaching obviously suggests the far, near, wide and narrow range. Furthermore, the far, near, wide and narrow range of sensors for used in specific application and specific detecting purpose would have been well known. Moreover, including components of a sensor in a housing would have been well known. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to enclose all components for generating far, near, wide, and narrow range of light beams in a housing, and to use the activation detection of Weilkes in activating the sensor of Regensburger in order to facilitate installation of the sensor to the vehicle and to facilitate controlling of the sensor depending on the current activation mode of the vehicle.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 305-7687, (for formal communications intended for entry)

Or:

Art Unit: 3661

(703) 305-7687 (for informal or draft communications, please label

"PROPOSED" or "DRAFT")

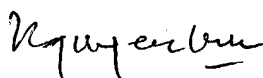
Hand-delivered responses should be brought to Crystal Park V, 2451

Crystal Drive, Arlington, VA., Seventh Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thu Nguyen whose telephone number is (703) 306-9130. The examiner can normally be reached on Monday-Thursday from 8:00 am to 6:00 pm ET.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Black, can be reached on (703) 305-8233. The fax phone number for this Group is (703) 305-7687.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-1111.



THU V. NGUYEN
PRIMARY EXAMINER

July 21, 2004